

## COMMERCIAL RELATIONS

*Spanish Royal Decree dated May 25, 1927; exchange of notes at Madrid October 26 and November 7, 1927, supplementing agreement of August 1, 1906, as supplemented and extended; Spanish statement dated November 7, 1927*

*Entered into force November 27, 1927*

*Modified by agreement of May 4 and July 11, 1946<sup>1</sup>*

*Superseded August 29, 1963, by protocol for accession of Spain to General Agreement on Tariffs and Trade<sup>2</sup>*

Treaty Series 758-A

### SPANISH ROYAL DECREE NO. 958

[TRANSLATION]

In accord with my Council of Ministers and as submitted by its President I make the following decree:

"ARTICLE ONE. From the date of publication in the MADRID GAZETTE<sup>3</sup> of this decree merchandise proceeding from the United States of North America shall enjoy most-favored-nation treatment as resulting from the application of commercial treaties now having consolidated duties and for such time as the said consolidation lasts. In this sense the extension of the *modus vivendi* of August 1st, 1906,<sup>4</sup> arranged by exchange of notes dated October 6th and 22nd, 1923,<sup>5</sup> is to be interpreted.

"ARTICLE TWO. Application of the foregoing provision shall have a maximum duration of six months and carries with it the obligation to make within that period a commercial treaty of mutual reciprocity which will bring about complete stability in the commercial relations between the two countries.

"ARTICLE THREE. As a consequence of the provisions contained in the two foregoing articles the extension of the said *modus vivendi* of August 1st, 1906, shall be considered as having been denounced in order that, on the termina-

<sup>1</sup> TIAS 1572, *post*, p. 705.

<sup>2</sup> 15 UST 2571; TIAS 5749.

<sup>3</sup> May 26, 1927.

<sup>4</sup> TS 453, *ante*, p. 649.

<sup>5</sup> TS 693-A, *ante*, p. 668.

tion of its operation and within the period of six months hereinbefore mentioned, the new treaty that shall have been negotiated may go into effect."

Done at the Palace, May 25, 1927.

ALFONSO

President of the Council of Ministers

MIGUEL PRIMO DE RIVERA Y ORBANEJA

# EXCHANGE OF NOTES

*The American Ambassador to the Minister of State*

No. 371

MADRID, October 26, 1927

## EXCELLENCY:

In view of the expiration on November 27th next of the six months term set by his Majesty's Decree of June 27th [May 25] last, granting unconditional most favored nation treatment to American products in Spain, and pending the conclusion of a definite commercial agreement between our two countries, I have the honor, under instructions from my Government, to propose to that of His Majesty an indefinite extension, subject, of course, to denunciation on due notice (say three months), of the regime at present obtaining under the Royal Decree above mentioned.

It is the intention of my Government to make a full and considered reply to Your Excellency's note of August 31st last, dealing with each of the eight articles therein mentioned as affording ground for Spanish complaint. However, the preparation of this note must await the return to the United States of Dr. Kisliuk, the extension of whose mission at Your Excellency's request to include the Canary Islands, will make it impossible to reply to your note above mentioned before the expiration of the *modus vivendi* on November 27th next. It would, therefore, seem desirable from the point of view of both countries that the present regime be extended as above suggested, in harmony with the views which Your Excellency expressed to me during our interview on the subject at Santander on the 17th of August last. This would seem the more desirable in order that the Spanish complaints may be considered without prejudice and in order that business between the two countries may no longer be hampered by the present uncertainty.

I avail myself of this occasion to renew to Your Excellency the assurance of my high consideration.

OGDEN H. HAMMOND

His Excellency

MARQUÉS DE ESTELLA

*Minister of State*

*Madrid*

*The Minister of State to the American Ambassador*

[TRANSLATION]

No. 262

MADRID, *November 7, 1927*

EXCELLENCY: Dear Sir:

In your note No. 371, of October 26, 1927, Your Excellency is good enough to propose, by virtue of instructions from your Government, an indefinite extension of the existing commercial regime between Spain and the United States, subject, of course, to a denouncement, which might be for three months, in view of the fact that on the 27th of November of the present year the six months term fixed by the Royal Decree of June 27th last, expires, which date Your Excellency mentions doubtless in error, since the true date is the 25th of May last, which granted to the products of your country most favored nation treatment.

Your Excellency bases this proposal upon the impossibility of your Government giving a complete and detailed reply before the 27th of November to my Note of August 31st last, in which I again requested that before the negotiation of a new commercial treaty, the various points at issue be solved or satisfactorily explained, which affect the importation and commerce of certain Spanish products in the United States and which I mentioned in another note directed to Your Excellency under date of June 24th last, such as the question of the Almeria grapes, oranges and lemons, tomatoes, chestnuts and hazelnuts, preserved peppers, and short firearms; which impossibility is due to the fact that Dr. Kisliuk has not yet completed the mission entrusted to him by your Government, to investigate the sanitary condition of the grape production in the Province of Almeria and which, at my request, was extended to include a similar investigation of the Canary Island tomatoes.

Replying to the above-mentioned note, I have the honor to inform Your Excellency, on behalf of His Majesty's Government, that the latter, taking into consideration the reasons mentioned by Your Excellency, agrees to continue provisionally the application to the products of the United States from the 27th of November of the present year, most favored nation treatment, as was granted thereto by the Royal Decree of May 25th last, which regime will cease upon three months denunciation or upon the conclusion of a new commercial treaty between Spain and the United States.

I avail myself of this opportunity for repeating to Your Excellency the assurances of my high consideration.

MARQUÉS DE ESTELLA

H. E. MR. OGDEN H. HAMMOND

*Ambassador of the United States of America*

SPANISH STATEMENT <sup>6</sup>

[TRANSLATION]

The Government of His Majesty, accepting the proposal made to it by that of the United States has agreed to continue applying temporarily to the products of the latter country, from the 27th of the present month of November, most favored nation treatment as granted them by the Royal Decree of May 25th last, which regime will cease three months from its denouncement or upon the conclusion of a new commercial agreement between both countries.

Which I make public for general knowledge.

MADRID, *November 7, 1927*

*Secretary General*  
B. ALMEIDA

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<sup>6</sup> Published in *Madrid Gazette*, Nov. 12, 1927.